



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 18-1138

Released: November 7, 2018

**WIRELINE COMPETITION BUREAU SEEKS COMMENT ON INTERSTATE
TELECOMMUNICATIONS COOPERATIVE, INC. PETITION FOR WAIVER OF
COMMISSION RULES IN ORDER TO MERGE STUDY AREAS AND MODIFY 2011
REVENUE REQUIREMENT AND BASE PERIOD REVENUE**

WC Docket No. 18-331

Comment Date: November 27, 2018

Reply Comment Date: December 12, 2018

On November 5, 2018, Interstate Telecommunications Cooperative, Inc. (ITC) filed a petition for waiver of sections 51.909(a), 51.917(b)(1) and 51.917(b)(7) of the Commission's rules.¹ Specifically, ITC seeks a waiver of these rules to implement the merger of two commonly-owned study areas in South Dakota.²

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated above. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- ☐ Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- ☐ Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Paper filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail.
 - ☐ All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. All envelopes and boxes must be disposed of before entering the building.

¹ Interstate Telecommunications Cooperative, Inc. Petition for Waiver of Sections 51.909(a), 51.917(b)(1) and 51.917(b)(7) of the Communications Rules to Modify Access Rate Bands and Charges, and 2011 Base Period Revenue in Connection with Merger of Affiliated Study Areas in South Dakota, WC Docket No. 18-331, at 1 (filed Nov. 5, 2018).

² *Id.* at 1-2.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

The proceeding this Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.³ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

For further information, please contact Lynne Engledow, Wireline Competition Bureau, Pricing Policy Division, at (202) 418-1520 or via email at Lynne.Engledow@fcc.gov.

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³ 47 CFR §§ 1.1200 *et seq.*